

AMENDED IN SENATE MARCH 24, 2008

SENATE BILL

No. 1219

Introduced by Senator Cedillo

February 14, 2008

An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 1219, as amended, Cedillo. Student financial aid: member and former members of the Armed Forces.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes, among other programs, the California Community College Transfer Cal Grant Entitlement Program and the Competitive Cal Grant A and B award program, under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs. Existing law requires that a participant in the California Community College Transfer Cal Grant Entitlement Program, among other things, graduate from a California high school or its equivalent during or after the 2000–01 academic year.

This bill would, commencing with the 2009–10 award year, entitle a student who was not awarded a Cal Grant A or B award at the time of his or her high school graduation, who is a member or former member of the United States Armed Forces, and who enrolls at a campus of the California Community Colleges, ~~or a qualifying baccalaureate program~~ *a career technical education program, or a qualifying undergraduate certificate or degree program*, to a Cal Grant A or B award. The bill would also require the Student Aid Commission to make preliminary awards to all applicants currently eligible for an award under the

program, and would require each person who receives a preliminary award to affirm, in writing, ~~under penalty of perjury~~, that he or she meets specified requirements for eligibility in the program. ~~By requiring that affirmation under penalty of perjury, the bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.~~

The bill would require the commission to randomly select at least 10% of the new and renewal awards made under the program and verify that the student meets specified requirements for eligibility. The bill would further require the commission to seek repayment of any funds found to be improperly disbursed under the program, and would require the commission to submit an annual report to the Legislature and the Governor regarding, among other things, the number of awards made under this program.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *The original G.I. Bill helped ward off post-World War II*
- 4 *economic depression by redirecting veterans from job hunting to*
- 5 *programs that provided job education and training.*
- 6 (b) *Over 30,000 United States troops have been wounded in*
- 7 *Iraq and Afghanistan since 2003, and many of these veterans will*
- 8 *need significant assistance with reintegration into civilian life.*
- 9 *California must prepare for the increasing number of members of*
- 10 *the United States Armed Forces that will be returning from these*
- 11 *conflicts.*
- 12 (c) *Increased access to financial aid to help returning members*
- 13 *of the United States Armed Forces afford the cost of tuition and*
- 14 *fees of California's universities and colleges will increase the*
- 15 *state's collective productivity and economic growth.*

1 (d) *California high school graduates who were eligible for the*
2 *Cal Grant Entitlement program may have lost their eligibility if*
3 *they choose to serve their country before pursuing a postsecondary*
4 *education.*

5 (e) *Recent students have identified the need for a more educated*
6 *workforce in order to meet the demands of California's growing*
7 *economy.*

8 **SECTION 1.**

9 SEC. 2. Article 4.5 (commencing with Section 69436.70) is
10 added to Chapter 1.7 of Part 42 of Title 3 of the Education Code,
11 to read:

12
13 Article 4.5. Cal Grants for Members and Former Members of
14 the Armed Forces

15
16 69436.70 (a) Commencing with the 2009–10 academic year,
17 and each academic year thereafter, a student who was not awarded
18 a Cal Grant A or B award pursuant to Article 2 (commencing with
19 Section 69434) or Article 3 (commencing with Section 69435) at
20 the time of his or her high school graduation, and who is a member
21 or former member of the United States Armed Forces, shall be
22 entitled to a Cal Grant A or B award if he or she enrolls at a campus
23 of the California Community Colleges ~~or a qualifying baccalaureate~~
24 ~~program, in a career technical education program, or a qualifying~~
25 ~~undergraduate certificate or degree program pursuant to~~
26 ~~paragraph (5) of subdivision (a) of Section 69435.3,~~ within two
27 years of leaving active duty, and meets all of the criteria in
28 subdivision (b).

29 (b) Any California resident enrolling at a qualifying institution
30 that offers a baccalaureate degree is entitled to receive, and the
31 commission shall award, a Cal Grant A or B award depending on
32 the eligibility determined pursuant to subdivision (c), if all of the
33 following criteria are met:

34 (1) A complete official financial aid application has been
35 submitted or postmarked pursuant to Section 69432.9, no later
36 than the March 2 of the year immediately preceding the award
37 year.

38 (2) The student demonstrates financial need pursuant to Section
39 69433.

1 (3) The student's household has an income and asset level not
2 exceeding the limits set forth in Section 69432.7.

3 (4) The student is enrolled at a campus of the California
4 Community Colleges or is pursuing a baccalaureate degree that is
5 offered by a qualifying institution.

6 (5) The student is enrolled at least part time.

7 (6) The student meets the general Cal Grant eligibility
8 requirements set forth in Article 1 (commencing with Section
9 69430).

10 (7) The student will not be 28 years of age or older by December
11 31 of the award year.

12 (8) The student graduated from a California high school or its
13 equivalent during or after the 2000–01 academic year.

14 (c) The amount and type of the award pursuant to this article
15 shall be determined as follows:

16 (1) For applicants with income and assets at or under the Cal
17 Grant A limits, the award amount shall be the amount established
18 pursuant to Article 2 (commencing with Section 69434).

19 (2) For applicants with income and assets at or under the Cal
20 Grant B limits, the award amount shall be the amount established
21 pursuant to Article 3 (commencing with Section 69435).

22 (d) (1) Commencing with the 2009–2010 award year, a student
23 meeting the requirements of paragraph (9) of subdivision (b) by
24 means of high school graduation, rather than its equivalent, shall
25 be required to have graduated from a California high school, unless
26 that California resident graduated from a high school outside of
27 California due solely to orders received from a branch of the United
28 States Armed Forces by that student or by that student's parent or
29 guardian that required that student to be outside of California at
30 the time of high school graduation.

31 (2) (A) Commencing with the 2009–10 award year, the
32 commission shall make preliminary awards to all applicants
33 currently eligible for an award under this article. At the time an
34 applicant receives a preliminary award, the commission shall
35 require that applicant to affirm, in writing, ~~under penalty of perjury,~~
36 that he or she meets the requirements set forth in subdivision (e)
37 of Section 69433.9, paragraph (9) of subdivision (b) of this section,
38 and paragraph (1) of this subdivision. The commission shall notify
39 each person who receives a preliminary award under this paragraph

1 that his or her award is subject to an audit pursuant to subparagraph
2 (B).

3 (B) The commission shall select, at random, a minimum of 10
4 percent of the new and renewal awards made under subparagraph
5 (A), and shall require, prior to the disbursement of Cal Grant funds
6 to the affected postsecondary institution, that the institution verify
7 that the recipient meets the requirements of subdivision (e) of
8 Section 69433.9, paragraph (9) of subdivision (b) of this section,
9 and paragraph (1) of this subdivision. An award that is audited
10 under this paragraph and found to be valid shall not be subject to
11 a subsequent audit.

12 (C) Pursuant to Section 69517.5, the commission shall seek
13 repayment of all funds found to be improperly disbursed under
14 this article.

15 (D) By November 1 of each year, the commission shall submit
16 a report to the Legislature and the Governor including, but not
17 necessarily limited to, both of the following:

18 (i) The number of awards made under this article in the
19 preceding 12 months.

20 (ii) The number of new and renewal awards selected, in the
21 preceding 12 months, for verification under subparagraph (B), and
22 the results of that verification with respect to students at the
23 University of California, at the California State University, at
24 independent nonprofit institutions, and at independent for-profit
25 institutions.

26 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
27 ~~Section 6 of Article XIII B of the California Constitution because~~
28 ~~the only costs that may be incurred by a local agency or school~~
29 ~~district will be incurred because this act creates a new crime or~~
30 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
31 ~~for a crime or infraction, within the meaning of Section 17556 of~~
32 ~~the Government Code, or changes the definition of a crime within~~
33 ~~the meaning of Section 6 of Article XIII B of the California~~
34 ~~Constitution.~~